

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions of claims in the application.

1-6. (Canceled)

7. (Currently Amended) A herpes simplex virus with a genome (i) that comprises an expressible non-herpes simplex virus nucleotide sequence encoding a desired protein and (ii) that is altered, ~~relative to wild type~~, in the  $\gamma$ 34.5 gene and the ribonucleotide reductase gene.

8. (Previously Presented) The herpes simplex virus of claim 7, wherein said protein is a cytokine.

9. (Previously Presented) The herpes simplex virus of claim 7, wherein said nucleotide sequence encodes LacZ.

10. (Previously Presented) The herpes simplex virus of claim 7, wherein said herpes simplex virus is G207.

11. (Previously Presented) The herpes simplex virus of claim 7, wherein said virus is targeted to a tumor cell of non-nervous tissue origin.

12. (Previously Presented) The herpes simplex virus of claim 11, wherein said tumor cell is a neural tumor cell.

13. (Previously Presented) The herpes simplex virus of claim 7, wherein said virus is targeted to a specific tumor type with a tumor cell-specific promoter.

14. (Previously Presented) The herpes simplex virus of claim 13, wherein said promoter is nestin promoter.

15. (Previously Presented) The herpes simplex virus of claim 13, wherein said promoter is basic fibroblast growth factor promoter.

16. (Previously Presented) The herpes simplex virus of claim 13, wherein said promoter is epidermal growth factor promoter.

17. (Previously Presented) The herpes simplex virus of claim 7, wherein an essential viral gene product of said virus is under the control of a tumor cell-specific promoter rather than its own viral promoter.

18. (Previously Presented) A composition comprising the herpes simplex virus of claim 7 and a pharmaceutically acceptable vehicle for said virus.